

IN RE: PETITION FOR ZONING VARIANCE
N/S Clifden Road, approx. 370'
W of Lismore Lane
(1918 Clifden Road)
1st Election District
1st Councilmanic District
Robert D. Bidne, et ux
Petitioners

BEFORE THE
DEPUTY ZONING COMMISSIONER
OF BALTIMORE COUNTY
Case No. 90-29-A

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 26 feet in lieu of the required 30 feet for a proposed addition in accordance with Petitioner's Exhibit 1.

The Petitioners appeared and testified. There were no Protestants. Testimony indicated that the subject property, known as 1918 Clifden Road, consists of 7,350 sq.ft. zoned D.R. 5.5 and is improved with a single family dwelling which has been Petitioners' residence for the past 32 years. Petitioners testified they are desirous of constructing a 14' x 26' family room addition to the rear of the existing dwelling off the dining room and kitchen area. Testimony indicated that in order to retain an existing window and have a family room of adequate size, the proposed addition will extend length-wise to within 26 feet of the rear property line. Petitioners testified they have spoken with their neighbors who have no objections to their plans. Testimony indicated that the relief requested will not result in any detriment to the health, safety or general welfare of the community.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Deputy Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.).

and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 7th day of August, 1989 that the Petition for Zoning Variance to permit a rear yard setback of 26 feet in lieu of the required 30 feet for a proposed addition in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restriction:

- 1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

ORDER RECEIVED FOR FILING
Date 8/22/89
By [Signature]

AMN:bjs

ANN M. NASTAROWICZ

Deputy Zoning Commissioner

for Baltimore County

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Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 7, 1989

Mr. & Mrs. Robert D. Bidne
1918 Clifden Road
Baltimore, Maryland 21228

RE: PETITION FOR ZONING VARIANCE
N/S Clifden Road, approx. 370' W of Lismore Lane
(1918 Clifden Road)
1st Election District - 1st Councilmanic District
Robert D. Bidne, et ux - Petitioners
Case No. 90-29-A

Dear Mr. & Mrs. Bidne:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ
Deputy Zoning Commissioner
for Baltimore County

AMN:bjs

cc: People's Counsel

File

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

August 31, 1989

Mr. & Mrs. Robert Bidne
1918 Clifden Road
Baltimore, Maryland 21228

Re: Petition for Zoning Variance
Case Number: 90-29-A

Dear Mr. & Mrs. Bidne:

A review of the file reveals an error in the amount charged for posting and advertising fees on the date of the hearing. The billing letter in the file is in the amount of \$88.53; however, on the hearing date you were given a receipt to pay the amount of \$80.53.

Would you kindly forward a check in the amount of \$8.00 as soon as possible to correct this matter.

We are sorry for the inconvenience this may have caused you and thank you for your cooperation.

Very truly yours,

G. G. Stephens

GGS:gs

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1.802.3b(2)(1). to allow rear yard set back of 26 feet plus or minus in lieu of required 30 feet.

The undersigned, legal owner(s) of the property situate in Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
We want to construct a family room as an addition to the rear of our house, back of the present dining room and part of the kitchen. In order to keep a window in the kitchen, the room width will be restricted to 14 feet. To obtain the area we want, the length will be 26 feet, which will bring the back to within 26 feet of the rear property line.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

(Type or Print Name)

Signature

Address

City and State

Attorney's Telephone No.:

Legal Owner(s):

Robert D. & Veronica F. Bidne

(Type or Print Name)

Signature

(Type or Print Name)

Signature

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Robert D. Bidne

Name

1918 Clifden Road 747-1246

Address

Phone No.

ORDERED By The Zoning Commissioner of Baltimore County, this 17th day

of May 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 3rd day of August, 1989, at 2 o'clock P.M.

J. Robert Haines
Zoning Commissioner of Baltimore County

(over)

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines

Zoning Commissioner

DATE: July 24, 1989

FROM: Pat Keller, Deputy Director

Office of Planning and Zoning

Robert and Veronica Bidne, Item 486

SUBJECT: Zoning Petition No. 90-29-A

PK/sf

The petitioner requests a variance to allow a rear yard setback of 26 feet plus or minus in lieu of the required 30 feet. In reference to this request, staff offers no comment.

DESCRIPTION FOR VARIANCE

Located on the north side of Clifden Road approximately 370' west of the west side of Lismore Lane in the 1st Election District and known as Lot #15 as shown on the plat of Resubdivision, Keeper Hill, which plat is recorded in the Land Records of Baltimore County in Plat Book 22, page 127. Also known 1918 Clifden Road.

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

DATE 7/21/89

Mr. & Mrs. Robert D. Bidne
1918 Clifden Road
Baltimore, Maryland 21228

Re: Petition for Zoning Variance
CASE NUMBER: 90-29-A
N/S Clifden Road, approximately 370' W of N/S Lismore Lane
1918 Clifden Road
1st Election District - 1st Councilmanic District
Petitioner(s): Robert D. Bidne, et ux
HEARING SCHEDULED: THURSDAY, AUGUST 3, 1989 at 2:00 p.m.

Dear Petitioners:

Please be advised that \$88.53 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

post set(s), there is for each such set

BALTIMORE COUNTY, MARYLAND

OFFICE OF FINANCE - REVENUE DIVISION

MISCELLANEOUS CASH RECEIPT

DATE 8-3-89

AMOUNT \$80.53

RECEIVED BY Robert D. Bidne et ux

FOR 90-29-A

8101*****80531* 20345

VALIDATION OR SIGNATURE OF CARRIER

VALIDATION OR SIGNATURE OF CARRIER

90-77-A

CERTIFICATE OF POSTING
ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 14th Date of Posting: 7/15/89

Posted for: Variano

Petitioner: Antonio Costelli, et ux

Location of property: 315 35th St., 300' SE / Wm. I. Lee Ave

7819 35th St.

Location of Sign: Facing 35th St., across 30' Fr. sidewalk

P.O. Box 14 of B. I. Variano

Remarks: See 1 Date of return: 7/15/89

Posted by: M. M. M. M.


Number of Signs: 1

Baltimore County
Zoning Commissioner
Office of Planning & Zoning
Towson, Maryland 21204
(301) 887-3353

J. Robert Haines
Zoning Commissioner

June 29, 1999

NOTICE OF HEARING


Dennis F. Rasmussen
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance
CASE NUMBER: 90-29-A
NS Clifden Road, approximately 370' W of US 151 More Lane
1919 Clifden Road
1st Election District - 1st Councilmanic
Petitioner(s): Robert D. Bidw, et ux
HEARING SCHEDULED: THURSDAY, AUGUST 3, 1999 at 2:00 p.m.

Variance: To allow rear yard setback of 25 feet plus or minus in lieu of the required 30 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

J. Robert Haines
J. ROBERT HAINES
ZONING COMMISSIONER
BALTIMORE COUNTY, MARYLAND

JRH:gs
cc: Mr. & Mrs. Bidw
File

90-29-A

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your petition has been received and accepted for filing this
17th day of May, 19 89

J. Robert Hines
J. ROBERT HINES
ZONING COMMISSIONER

Petitioner Robert D. Sidne, et al received by: J. James E. Dyer
Petitioner's Attorney Chairman, Zoning Plans
Attorney Advisory Committee

BALTIMORE COUNTY, MARYLAND
INTER OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee DATE: June 1, 1989

FROM: Robert W. Bowling, P.E.

RE: Zoning Advisory Committee Meeting
for May 16, 1989

The Developers Engineering Division has reviewed the subject zoning items and we have no comments for Items 486, 488, 489, 470, 471, 474, 475, 476, 478, 480, 481, 482, 485, and ~~488~~.

For Item 253 the previous County Review Group Comments still apply.

For Item 313 contact the State Highway Administration for right-of-way requirements for Reisterstown Road.

For Item 487 contact the State Highway Administration for the necessary improvements for Reisterstown Road.

For Item 472 the previous County Review Group Comments for Festival at Woodholme still apply.

For Item 473 the building being in a revertible slope easement must be addressed prior to approval.

For Item 477 the previous County Review Group Comments still apply.

For Item 479 the previous County Review Group Comments still apply.

For Item 483 contact the State Highway Administration for right-of-way requirements on Park Heights Avenue.

For Item 484 the previous County Review Group Comments still apply.

Robert W. Bowling
ROBERT W. BOWLING, P.E., Chief
Developers Engineering Division


RWB:s

JUN 02 1989

Baltimore County
Fire Department
Towson, Maryland 21204-2536
494-4500

Paul H. Reincke
Chief

J. Robert Haines
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, MD 21204



Dennis F. Rasmussen
County Executive

Re: Property Owner: Robert D. Bidne, et ux

Location: NS of Clifden Road, approx 370' W of NS of Lismore Lane

Item No.: 486 Zoning Agenda: May 16, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle dead end condition shown at _____
EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.

() 6. Site plans are approved, as drawn.

() 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: Ch. J. Kelly 5-11-89 Noted and Approved: Captain Brady
Planning Group
Special Inspection Division
Fire Prevention Bureau

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